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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/761,523	01/21/2004	Bernd Hildebrand	502901-163	3433
27799	7590	04/20/2006	EXAMINER	
COHEN, PONTANI, LIEBERMAN & PAVANE 551 FIFTH AVENUE SUITE 1210 NEW YORK, NY 10176			REIS, TRAVIS M	
			ART UNIT	PAPER NUMBER
			2859	

DATE MAILED: 04/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/761,523

Applicant(s)

HILDEBRAND ET AL.

Examiner

Travis M. Reis

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 January 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 11 and 12 is/are rejected.
- 7) ☒ Claim(s) 4-10 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Objections*

1. Claims 3 & 4 are objected to because of the following informalities:

In claim 3, line 2, "mechanims" should be ---mechanism---.

In claim 4, line 5, "mechanims" should be ---mechanism---.

Appropriate correction is required.

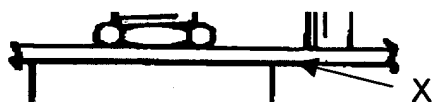
### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 11, & 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parfitt (U.S. Patent 4324197) in view of Jansa (U.S. Patent 6178917).

Parfitt discloses a pointer instrument comprising a support (X, see below)



having an upper and lower side; first (4) and second (7) instrument mechanisms independently arranged on said support, such that the support is between the first and second instrument mechanisms, the first instrument mechanism being above, and first (6) and second (12) pointers having concentric pivoting axes & being essentially parallel, each of said first and second pointers comprising a radially extending element arranged above said upper side of said support, shaft means (5, 8) as part of said respective instrument mechanisms, and electronic comparison circuitry (col. 3 lines 33-34).

Parfitt does not disclose said electronic comparison circuitry is on a said support, thereby being a circuit board.

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Jansa discloses a double pointer instrument (1) which is supported by a circuit board (7) in order to provide direct connection between components above and below said support (Figure 1). Therefore, it would have been obvious to one with ordinary skill in the art at the time of the invention was made to add the electronic comparison circuitry disclosed by Parfitt to the support as taught by Jansa in order to provide direct connection between components above and below said support

4. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Parfitt & Jansa as applied to claims 1, 11, & 12 above, and further in view of Sauter (U.S. Patent 6557485).

Parfitt & Jansa disclose all of the instant claimed invention as stated above in the rejection of claims 1, 11, & 12, including said second instrument mechanism is arranged below said printed circuit board, said first instrument mechanism is arranged above said printed circuit board (Figure 2).

Parfitt & Jansa does not disclose said first instrument mechanism comprise a hollow shaft connecting said first instrument mechanism to said first pointer, and said second mechanism comprising a shaft connecting said second instrument mechanism to said second pointer, said shaft passing through said circuit board and said hollow shaft.

Sauter discloses a dual integrated gauge system (1) with a hollow shaft (17) connecting said first instrument mechanism (9) to said first pointer (col. 4 lines 56-58), and said second mechanism comprising a shaft (19) connecting said second instrument mechanism (11) to said second pointer (col. 4 lines 56-58), said shaft passing through a support board (7) and said hollow shaft (Figure 2) in order to be compact (col. 1 line 66). Therefore, it would have been obvious to one with ordinary skill in the art at the time of the invention was made to replace the shaft means disclosed by Parfitt & Jansa with the shaft means disclosed by Sauter in order to save space.

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5. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Parfitt, Jansa, & Sauter as applied to claim 2 above, and further in view of Ohta et al (U.S. Patent 5529014).

Parfitt, Jansa, & Sauter disclose all of the instant claimed invention as stated above in the rejection of claims 1, 11, & 12, but do not disclose optical fibers being arranged to illuminate said pointer.

Ohta et al. discloses a car-carried indicating device (8) with optical fibers and light source arranged within the pointer (9) in order to illuminate said pointer (Figures 30-33). Therefore, it would have been obvious to one with ordinary skill in the art at the time of the invention was made to add the optical fibers and light source disclosed by Ohta et al. to the pointers disclosed by Parfitt, Jansa, & Sauter in order that the pointers are more visible.

#### ***Allowable Subject Matter***

6. Claims 4-10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. The following is a statement of reasons for the indication of allowable subject matter:

With reference to claims 4-10, the prior art of record does not disclose or clearly suggest a pointer instrument comprising a bracket connecting said second instrument mechanism to said second pointer, said bracket projecting through a cutout in said printed circuit board. Said cutout being arc-shaped, in combination with the remaining limitations in the claims.

#### ***Conclusion***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Travis M. Reis whose telephone number is (571) 272-2249. The examiner can normally be reached on 8--5 M--F.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diego Gutierrez can be reached on (571) 272-2245. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Travis M Reis  
Examiner  
Art Unit 2859



Diego Gutierrez  
Supervisory Patent Examiner  
Tech Center 2800

tmr  
April 13, 2006